



## PRESIDENT'S WELCOME MESSAGE

Ron attended the University of British Columbia where he received degrees in both law and commerce in 1989. The challenges of law won him over and he began practicing civil litigation with an emphasis on personal injury. Since 1998 he has practiced exclusively for accident victims. During the course of his career Ron has appeared in all levels of Court in British Columbia. He has successfully conducted both jury and judge alone trials.

BY RON NAIRNE  
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We live in interesting times. In the world at large, demagogues pose an increasingly severe threat to the world's democracies. Polarization is the norm. It is difficult for those on opposite sides of the political spectrum to have a debate based on civility and facts. Instead, name calling and insults pass for serious debate. The result is a loss of respect for governing institutions including the rule of law. Words matter. The rhetoric of political leaders in the United States contributes at minimum to a loss of respect for government. At worst, it contributes to a rise in racial violence.

In British Columbia our politicians have so far resisted the temptation to radicalize. However, that is not to say that we are immune. We face many threats to the rule of law. Two of the biggest threats are chronic underfunding of legal aid and the erosion of the tort system. While these threats are distinct, they share at least two characteristics - both disproportionately affect the poor or otherwise disadvantaged and both limit access to the Courts.

As members of TLABC we have a duty to fight these threats.

Recall our mission statement: To support and promote the rights of individuals in British Columbia. I can think of no greater threats to the rights of individuals than the lack of legal aid, which inhibits British Columbians' ability to obtain proper legal representation, and restrictions on the tort system, which despite sustaining life-altering injuries, will leave many labelled with 'minor injuries' with no effective way to challenge that designation.

Without a properly funded defence bar, individuals accused of crimes face the full power and resources of the state with no help to establish their innocence or to put their crime in context. There is a very real risk that for many individuals, once accused of a crime, establishing their innocence will be impossible on their own. Likewise, proper legal aid funding will allow more people to get timely advice regarding important family law issues, including custody and access. In the long run, properly funded legal aid will likely save the government money by reducing the number of self-represented litigants that clog the legal system.

The personal injury bar is likely to see the greatest change to

the practice in its history this year. "Minor injuries" will be banished to a civil tribunal. Anyone with a "minor injury" will no longer have access to the Courts. Legal representation will likely be massively reduced. Yet someone diagnosed with depression or PTSD, even lasting over 12 months, may fall within the definition of "minor injury" unless they can prove they should be excluded. Without the benefit of legal representation how effective is that person likely to be?

Once the legislation comes into effect on April 1 2019, I anticipate that we will hear the horror stories of seriously injured people being told they have a minor injury. TLABC, and its partner ROAD BC, must demonstrate the consequences of the government's misguided changes. We will have to consider the constitutionality of the new legislation, and possibly lead a legal challenge that would certainly be many years long.

Over the past several years I have had the honour and privilege of working with past Presidents such as Aseem Dosanjh, Keri Grenier and Sonny Parhar, in the fight to preserve the rights of those injured by the acts of careless motorists. I look forward to continuing that fight in the coming year and long after my Presidency ends. For now the government has decided to pursue a path that will inevitably cause great harm to many citizens of this Province. TLABC will continue to advocate for those who have been disenfranchised. We will pursue all available options to restore the rights of British Columbians.

I also look forward to working with TLABC members to pursue better funding for legal aid, preservation of the tort system, reform of wrongful death legislation, and improved access to the Courts amongst the many issues of importance to our organization.

None of these fights are about us. The regressive changes by successive governments to the legal system affect our most vulnerable citizens. We have the privilege of representing their interests in Court as their counsel, and politically by advancing an agenda that promotes access to the justice system and the rights of individuals. This is the mission statement of TLABC and one that I will be proud to pursue over the next 12 interesting months. ✓